

IN THE MATTER OF THE CLAIM OF)
DONNA J. SCHULTZ,)
CLAIMANT,)
-AGAINST-)
COUNTY OF SUFFOLK, SUFFOLK)
COUNTY EXECUTIVE'S OFFICE,)
JUSTIN S. MEYERS, _____)
RESPONDENTS.)

TO: SUFFOLK COUNTY ATTORNEY'S OFFICE

PLEASE TAKE NOTICE that the Claimant herein makes claim and demand against Respondents as follows:

1. The name and post-office address of claimant and of her attorney is:

Claimant: Donna J. Schultz, C/O of her attorney.

Claimant's Attorney: Brendan Chao, Attorney & Counsellor at Law, 50 Merrick Road, Suite 200, Rockville Centre, N.Y. 11570; Tel: (516) 466-2033, Fax (516) 466-2007.

2. The nature of the claim(s):

a) Suffolk County, a public employer, dismissed Claimant (or took other disciplinary or other adverse personnel action), a public employee, from her employment because she disclosed to a governmental body information: (i) regarding a violation of a law, rule or regulation which violation created and presented a substantial and specific danger to the public health or safety; or (ii) which the Claimant reasonably believed to be true and reasonably believed constituted an improper governmental action.

b) Suffolk County tortiously interfered with Claimant's prospective business relations. Claimant had a business relationship with the Suffolk County Police Department ("SCPD"); Suffolk County interfered with those business relations; Suffolk County acted for a wrongful purpose, or used dishonest, unfair, or improper means; and these acts injured the relationship.

Rec'd 07/20/19

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c) By its actions, Suffolk County intentionally inflicted harm on Claimant which caused her to lose her job, without any excuse or justification. Suffolk County's sole motive was disinterested malevolence.

d) Suffolk County retaliated against Claimant in terminating her employment because she disclosed to a supervisor or to a public body an activity, policy or practice of the employer that is in violation of law, rule or regulation, which violation creates and presents a substantial and specific danger to the public health or safety.

e) Violation of 42 U.S.C. § 1983 for deprivation of Claimant's procedural and substantive due process rights as guaranteed by the 14th Amendment to the United States Constitution.

3. The time when, the place where, and the manner in which the claim arose:

On or about February 22, 2018, following the election of Timothy D. Sini ("Mr. Sini") to the position of Suffolk County District Attorney, Mr. Sini's Chief of Staff, Justin S. Meyers ("Mr. Meyers"), began sending a series of text messages to Claimant. Mr. Meyers was previously the Assistant Commissioner for Strategic Communications with the SCPD, and while there was Claimant's supervisor. Claimant no longer worked for Mr. Meyers or Mr. Sini when she began receiving Mr. Meyers's text messages.¹ Seeking direction, Claimant spoke to several senior SCPD employees to explain that Mr. Meyers was continuing to give her orders notwithstanding the fact he now worked for the District Attorney's Office. During this meeting Claimant also explained to the SCPD employees that Mr. Meyers's abusive behavior was nothing new, and that he had treated her, and others, in an unprofessional and abusive manner when he worked for the SCPD. Claimant further explained that during Mr. Sini's District Attorney election campaign Mr. Meyers campaigned for Mr. Sini during his SCPD workday. That is, he was using his SCPD work time to help Mr. Sini's election campaign. In addition, he regularly used Suffolk County and SCPD employees for his personal errands while they were working on Suffolk County time.

On or about March 15, 2018, nine days after Claimant spoke to the SCPD employees about Mr. Meyers's behavior, Claimant met with Deputy County Executive Dennis Cohen ("Mr. Cohen") and Suffolk County Executive Steve Bellone's Chief of Staff, Lisa Black, ("Ms. Black") in Mr. Cohen's office. Mr. Cohen told Claimant she should resign because she failed her background check. Specifically, that a misdemeanor conviction from approximately ten years earlier disqualified her from the

¹ A screen shot of Meyers's text message is attached hereto.

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position of Communications Director of the SCPD (the position she held for the previous twenty-one months). In addition, Mr. Cohen also said her alleged use of a SCPD computer for personal use was an additional basis for her resignation. This alleged misuse of the computer was self-reported to the SCPD by Claimant to clarify SCPD computer policy as she had not received formal computer training during her tenure with the SCPD.

These were bizarre reasons for Mr. Cohen and Ms. Black to try to persuade her resignation as Claimant told Mr. Meyers about the conviction in May 2016, prior to her hire by Suffolk County in June 2016. Shortly after her hire, Messrs. Cohen, Meyers and Sini assured her that her conviction was not an impediment to her job within the SCPD. Indeed, following her initial disclosure of her conviction in May 2016, and hiring in June 2016, Claimant continuously worked for Suffolk County, specifically in the role of Suffolk County Police Director of Communications for which she was hired, and stationed at SCPD headquarters in Yaphank, N.Y. for twenty-one months.

Upon information and belief, Suffolk County terminated Claimant's employment in retaliation for her reporting Mr. Meyers's history of verbal and written abuse, misuse of SCPD work time to campaign for Mr. Sini's District Attorney election campaign, and misuse of County and SCPD employees for personal errands

4. The items of damage or injuries claimed are: Lost wages, and as a result Claimant's humiliation, embarrassment and disgrace suffered as a result of the actions of Suffolk County's misconduct, Claimant has endured great mental pain and suffering.

5. Total amount claimed: Reinstatement with back pay, and an amount to be determined at trial for mental pain and suffering, and other relief as a court may deem appropriate and just.

The claim and demand is hereby presented for adjustment and payment.

PLEASE TAKE FURTHER NOTICE that by reason of the foregoing, in default of the Suffolk County Executive's Office to reinstate Claimant and pay to the Claimant her claim within the time limited for compliance with this demand by the Suffolk County Executive's Office by the applicable statutes, Claimant intends to commence an action against Suffolk County to recover her damages with interest and costs.


Dated: June 1, 2018
Rockville Centre, N.Y.

Respectfully yours,

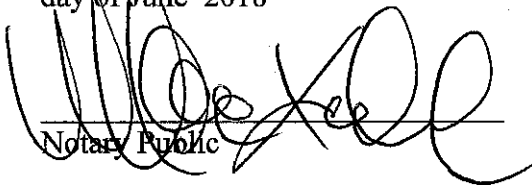
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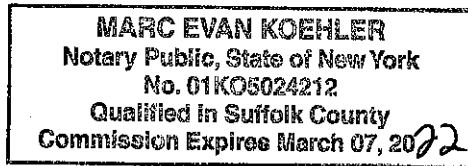
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Donna J. Schultz being duly sworn, deposes and says that deponent is the Claimant in the within action; that she has read the foregoing Notice of Claim and knows the contents thereof; that the same is true to deponent's own knowledge, except as to matters therein stated to be alleged on information and belief, and that as to those matters deponent believes it to be true.


DONNA J. SCHULTZ
Claimant

Sworn to before me, this 1st
day of June 2018


Notary Public



  
Justin Meyers 51696723

Thu, Feb 22, 7:30 PM

Call me immediately

I'm at a wake n can't talk

Well then you better have someone from your team get me a Facebook post to review in the next 35 fucking seconds bc if I have to call the police commissioner and district attorney back and explain to them the reason there is still not a Facebook post up from today's massive announcement is bc Donna Jeannine thinks she calls the shots it's not going to go very well for you.

If you do not call me in the next 60 seconds you're going to get an extremely uncomfortable phone call from the commissioner